

**Arizona Supreme Court**  
**Criminal Petition for Review - Appeal**

**CR-16-0388-PR**

**STATE OF ARIZONA v MARK WILLIAM CLARY JR**

**Appellate Case Information**

Case Filed: 28-Sep-2016

Case Closed:

**Dept/Composition**

**Side 1. STATE OF ARIZONA, Appellee**

(Litigant Group) STATE OF ARIZONA

- State of Arizona

**Attorneys for: Appellee**

Mark Brnovich, Esq. (AZ Bar No. 14134)

John R. Lopez, IV, Esq. (AZ Bar No. 19182)

Joseph T Maziarz, Esq. (AZ Bar No. 9212)

Linley Wilson, Esq. (AZ Bar No. 27040)

**Side 2. MARK WILLIAM CLARY, JR., Appellant**

(Litigant Group) MARK WILLIAM CLARY, JR.

- Mark William Clary, Jr.

**Attorneys for: Appellant**

Lori L Voepel, Esq. (AZ Bar No. 15342)

**Side 3. ARIZONA ATTORNEYS FOR CRIMINAL JUSTICE, Amicus Curiae**

(Litigant Group) ARIZONA ATTORNEYS FOR CRIMINAL JUSTICE

- Arizona Attorneys for Criminal Justice

**Attorneys for: Amicus Curiae**

Rhonda Elaine Neff, Esq. (AZ Bar No. 29773)

**CASE STATUS**

Sep 28, 2016....Pending

| PREDECESSOR CASE(S) |                   | Cause/Charge/Class | Judgment/Sentence | Judge, Role <Comments>                         | Trial | Dispo |
|---------------------|-------------------|--------------------|-------------------|--|-------|-------|
| 1 CA                | 1 CA-CR 13-0694   |                    |                   |  |       |       |
| ↗ MAR               | CR2012-119994-001 | See File           | See File          | Cynthia Bailey, Sentencing<br>Comments: (none) | JURY  |       |

**13 PROCEEDING ENTRIES**

- 28-Sep-2016 FILED: Petitioner's Unopposed Motion to Extend Time to File Petition for Review; Certificate of Service (Appellant Clary)
- 29-Sep-2016 A "Petitioner's Unopposed Motion to Extend Time to File Petition for Review" (Appellant Clary) having been filed on September 28, 2016,  
  
IT IS ORDERED granting a first extension of time to file the Petition for Review on or before October 31, 2016. No further extensions of time shall be granted absent extraordinary circumstances. This matter is subject to dismissal if the Petition for Review is not filed by October 31, 2016. (Janet Johnson, Clerk)
- 28-Oct-2016 FILED: (Second) Unopposed Motion to Extend Time 14 Days to File Petition for Review; Certificate of Service (Appellant Clary)
- 28-Oct-2016 A second "Unopposed Motion to Extend Time 14 Days to File Petition for Review" (Appellant Clary) having been filed on October 28, 2016,  
  
IT IS ORDERED granting a second extension of time to file the Petition for Review on or before November 14, 2016. No further extensions of time shall be granted absent extraordinary circumstances. This matter is subject to dismissal if the Petition for Review is not filed by November 14, 2016. (Janet Johnson, Clerk)
- 14-Nov-2016 FILED: Petition for Review; Certificate of Service; Certificate of Compliance; Memorandum Decision (Appellant Clary)
- 14-Nov-2016 FILED: Unopposed Motion to Exceed Word Count for Petition for Review; Certificate of Service (Appellant Clary)
- 16-Nov-2016 FILED: Record from CofA: Electronic Record

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**13 PROCEEDING ENTRIES**

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| 8.  | 18-Nov-2016 | <p>An "Unopposed Motion to Exceed Word Count for Petition for Review" (Appellant Clary) having been filed with a 5,487 word count Petition for Review, and the Clerk of the Court having been authorized by the Supreme Court to enter orders granting or denying requests for extended word count,</p> <p>IT IS ORDERED denying Appellant's request to exceed the thirty 3,500 count stated in Rule 31.19(c), Arizona Rules of Criminal Procedure by 1,987 words.</p> <p>IT IS FURTHER ORDERED that Appellant may file a Petition for Review that does not exceed 4,500 words no later than December 19, 2016. (Janet Johnson, Clerk)</p> |
| 9.  | 19-Dec-2016 | FILED: Petition for Review; Certificate of Service; Certificate of Compliance; Memorandum Decision (Appellant Clary)   |
| 10. | 4-Jan-2017  | FILED: Notice of Acknowledgment; Certificate of Service (Appellee State)   |
| 11. | 25-Jan-2017 | FILED: Brief of Amicus Curiae Arizona Attorneys for Criminal Justice; Certificate of Service; Certificate of Compliance (Amicus Curiae)  |
| 12. | 25-Jan-2017 | FILED: Motion for Leave to File an Amicus Curiae Brief (Amicus Curiae Arizona Attorneys for Criminal Justice)  |
| 13. | 25-Jan-2017 | <p>A "Motion for Leave to File an Amicus Curiae Brief" (Amicus Arizona Attorneys for Criminal Justice) and the Brief of Amicus Curiae were filed on January 25, 2017.</p> <p>IT IS ORDERED granting the motion. The brief shall be filed as of January 25, 2017. (Janet Johnson, Clerk)</p>  |